

W5YI

America's Oldest Ham Radio Newsletter

REPORT

Up to the minute news from the world of amateur radio, personal computing and emerging electronics. While no guarantee is made, information is from sources we believe to be reliable.

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A New Amateur Service for the New Millennium!

FCC Authorizes Three License Classes, One 5-WPM Code Speed

"Given the changes that have occurred in communications in the last fifty years, we believe that reducing the emphasis on telegraphy proficiency as a licensing requirement will allow the amateur service to, as it has in the past, attract technically inclined persons, particularly the youth of our country, and encourage them to learn and to prepare themselves in the areas where the United States needs expertise." From Report & Order, WT Docket No. 98-143, Released Dec. 30, 1999.

The Federal Communications Commission has released new rules that drastically simplifies the U.S. Amateur Service license structure, streamlines the license examination process and reduces the emphasis on Morse Code testing.

Although based on three *Petitions for Rulemaking* filed by the American Radio Relay League, the FCC initiated this proceeding as part of their 1998 *Biennial Review of Regulations* that no longer serve the public interest as required by the *Communications Act*. These reviews – which take place in every even-numbered year – began in 1998.

The sweeping changes come after more than a year of FCC review and assessment of some 2,200 comments filed by the public on the Commission's August 10, 1998 proposal to revamp the service. Among other things, the FCC proposed to simplify the amateur service license structure to a four-class license structure by grandfathering the Novice Class operator license and by combining the Technician and Technician Plus classes of amateur radio operator licenses.

The much anticipated FCC restructuring of the Amateur Service was released on December 30, 1999 – the final government working day of the old

millennium. Effective April 15th, applicants will only be able to be examined for three license classes: Technician - the VHF/UHF entry level; General - the HF entry level ...and Extra - a technically-oriented senior license. The Technician Class continues as a "no code" ticket. No new Novice, Tech Plus or Advanced Class licenses will be issued after April 15th.

And after April 15th, there will be only one Morse code examination speed at 5 words-per-minute (wpm). It will be called simply Element 1. Previously Element 1(A) was the 5-wpm telegraphy exam, 1(B) was 13 wpm and 1(C) 20-wpm.

The single 5-wpm code speed also means the demise of the controversial physician certification waivers by examinees who claimed they are unable to pass a high speed telegraphy exam due to a handicap.

All six classes will remain and will be active in the FCC's Amateur Service database. Current Novice and Advanced Class amateurs will be able to modify their license (change their name, address and call signs) and renew their ticket indefinitely. No one is being forced to upgrade their license ...and no one loses any privileges if they don't.

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The Commission also followed through on their proposal to renew Tech-Plus amateur licenses as Technician class, with indefinite credit for Morse code proficiency. The FCC elected not to change the operating privileges of any class – a key component of the American Radio Relay League's restructuring proposal. The ARRL had proposed a one-time across-the-board upgrading of all Novice and Tech Plus operators to the General class which FCC declined to go along with. This means that all licensees will retain their current operating privileges.

The previously FCC-mandated ten written exam topics have been eliminated and the VECs' Question Pool Committee (QPC) will now have a free rein to decide on the content of each the three written examinations. Both the Technician Class multiple choice written exam – now called Element 2 and General Class written exam, now Element 3 will contain 35 multiple choice questions. The Extra Class written Element 4 will have 50 questions. The question pool system remains intact and each of the three remaining question pools are still required to contain at least ten times as many questions as appear on an examination.

There will be no automatic upgrades. Technicians licensed before March 21, 1987 retain exam credit for both the 5-wpm code and the General Class Element 3 and are thus eligible for upgrade without further examination. They must, however, apply using an NCVEC Form 605 at a VE session after April 15th and pay the standard (\$6.65) application fee to have their license updated to the General class.

These "Old Techs" must submit some sort of proof that they held a Technician license prior to 1987. The VECs are being held responsible for reviewing and approving this evidence. Some VECs (including the W5YI-VEC) are able to supply applicants with documentary evidence of their having held a Technician license prior to 1987. (Call: 1-800-669-9594 if you need assistance.)

Existing Amateur Radio study materials in the marketplace remain valid at least until the new rules become effective in April and CSCE credit from these test exams may be used towards the three new licenses.

For example, current Advanced Class hams may pass the existing Element 4B (Extra written exam before April 15th and then (after paying the fee) request an Extra Class license at a VE examination session held after April 15th without further examination. These applicants simply submit copies of their Advanced Class license and the CSCE Element 4B exam credit certificate to the VE team who will authorize the Extra Class ticket.

Likewise, current Tech-Plus radioamateurs may pass Element 3B before April 15, then use the CSCE to apply for General at a post-4/15 exam session. Current No-Code Techs may pass the existing Element 3B exam before April 15, then have 1 year to pass 5-wpm code test

for General. A General Class amateur could pass the current Element 4A and 4B and then trade the CSCE's in for an Extra Class ticket after April 15th.

Effective April 15th, Advanced Class radioamateurs are authorized to prepare and administer General class examinations. Station licenses in the Radio Amateur Civil Emergency Service (RACES) were also eliminated as being unnecessary for amateurs to provide emergency service, but the RACES service itself will remain.

The new Part 97 rules also mentions that club and military recreation station licenses must be modified or renewed through a Club Call Sign Administrator who will electronically submit the information to the FCC. The FCC issued a Public Notice on January 3, 2000 and will be shortly approving groups to become Club Call Sign Administrators. (See Page 10) The new VECs application NCVEC Form 605 was designed to also be used by club and military recreation stations.

The FCC's restructuring document runs to some 70 pages. A copy of the entire *Report and Order* (FCC 99-412) is available at various Internet sites including <<http://www.arrl.org/announce/regulatory/wt98-143ro.pdf>> or at <http://www.fcc.gov/Daily_Releases/Daily_Business/1999/db991230/fcc99412.txt>.

The FCC gave their rationale for adopting the measures they did in the *Report and Order* (R&O.) Here are some of the more interesting details.

The 70-page Report and Order

"The amateur service rules are designed to allow licensees in this service to provide emergency communications, advance radio technology, improve operator skills, enhance international goodwill, and expand the number of trained operators, technicians, and electronic experts."

The FCC said it believed that "...these changes will:

- (a) allow current Amateur Radio Service licensees to contribute more to the advancement of the radio art;
- (b) reduce the administrative costs that we incur in regulating this service and streamline our licensing processes;
- (c) eliminate unnecessary requirements that may discourage or limit individuals from becoming trained operators, technicians, and electronic experts; and
- (d) promote efficient use of spectrum allocated to the Amateur Radio Service."

"The amateur service is one of the radio communication services authorized by the [international] *Radio Regulations* and was one of the first non-government communication services. Regulation of the amateur service in the United States dates from the early 1900's as a result of the U.S. Navy's concern about interference to its stations and its desire to be able to order amateur radio

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stations off the air in the event of war."

"As part of this regulation, proficiency in Morse code was mandated to ensure that amateur radio operators could recognize and avoid interference with government and commercial stations as well as maritime distress messages, and to ensure that the U.S. Navy could communicate government orders to amateur radio operators. This mandated telegraphy proficiency was continued by the Federal Radio Commission and then by the Federal Communications Commission.

"Telegraphy proficiency remains one of the examination elements that, by international treaty, an examinee must pass to obtain an amateur service operator license that authorizes operating privileges in the portion of the radio spectrum below 30 MHz."

Number of license classes

The last major restructuring of the Amateur Radio Service rules took place in 1989 (PR Docket No. 88-139) when the Commission eliminated unnecessary rules and simplified complex terminology. The classes of operator licenses and examination requirements to obtain these licenses, however, were not changed.

"In view of advances in communication techniques that have occurred since the last comprehensive evaluation of the amateur service license structure," FCC said, "...we believe that this is an opportune time to consider additional ways to streamline and simplify the amateur service rules by conforming them to contemporary technological advances in the art of radio communication."

The Commission said it thought six classes of operator licenses were unnecessary but wondered if reducing the number of license classes would still encourage amateur radio operators to advance their skills in meaningful ways. The FCC said a side benefit would be to "...lessen preparation and administration tasks by Volunteer Examiners (VEs) and ease the Commission's administrative burdens associated with this service."

The FCC pointed out that prior to the adoption of the no code Technician Class operator license in 1990, the Novice Class operator license was the entry point into the amateur service which required passing a 5 wpm telegraphy examination and a single written examination element. "Currently, most individuals choose the Technician Class operator license as the entry point into the amateur service," FCC noted. To qualify for a Technician Class operator license, an applicant passes two written examination elements to access all amateur spectrum above 50 MHz."

The FCC says "...there appears to be an unnecessary overlap between the Novice, Technician, and Technician Plus operator license classes." On that basis, the Commission proposed to phase out the Novice Class operator license, with current Novice Class operator licens-

ees being grandfathered."

By "grandfathering", the FCC means that current Novice Class licensees would be permitted to continue to hold their license and modify or renew it. No new Novice Class licenses however, would be granted.

The FCC believes that grandfathering "...provides a mechanism to ensure that a licensee is not adversely affected as a result of changes to the license structure. For example, Novice Class operator licensees would retain their currently authorized operating privileges and would continue to receive examination credit for examination elements passed that also are required to qualify for other licenses."

The Commission also wants to phase out the Technician Plus Class by renewing Technician Plus Class operator licenses as Technician Class licenses. This eliminates the FCC from having to incur the costs of keeping a separate classification of Technician Class licensees who have passed a 5 wpm telegraphy examination.

The FCC concluded "...that the public interest will best be served by reducing the number of operator license classes from six to three and that the three classes of operator licenses in the simplified amateur service license structure should be the Technician, General, and Amateur Extra Class operator licenses. We believe this three-class license structure will provide an incentive for licensees to continue the educational opportunities offered by amateur radio...."

Advanced Class license "grandfathered"

"We also are adopting the suggestion of the National Conference of VECs (NCVEC) that we not issue new Advanced Class operator licenses and grandfather licensees holding this class. We observe that the primary difference between the Advanced Class operator license and the Amateur Extra Class operator license is not the difficulty of the Amateur Extra Class written examination but, rather, the 20 wpm telegraphy examination which we are eliminating as a requirement to obtain the Amateur Extra Class operator license."

"In order to assure that Technician Plus Class licensees do not lose privileges, we have revised Section 97.301(e) of our Rules to reflect that any Technician Class licensee who satisfies the telegraphy requirement in the *Radio Regulations* will maintain the privileges which the Technician Plus Class operator license presently authorizes."

The FCC said it would not be automatically upgrading Novice and Tech Plus operators to the General Class ...or Advanced Class amateurs to Extra as proposed by the ARRL.

With regard to our proposal to renew Technician Plus Class operator licenses as Technician Class operator licenses, we note that Technician Plus Class licensees

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personally hold documentation that they have passed a 5 wpm telegraphy examination. This documentation is usually either a Technician Class license issued before February 14, 1991, a *Certificate of Successful Completion of Examination* (CSCE) showing credit for telegraphy examination Element 1(A), or a Technician Plus Class operator license issued by the Commission. For this reason, we see no need to maintain a separate classification of these licensees."

The Commission noted that the majority of commenters supported a three of four-class license structure.

"A three-class structure consisting of the Technician, General, and Amateur Extra Class operator licenses is supported, among others, by the NCVEC and the Quarter Century Wireless Association (QCWA). In this regard, NCVEC states that there is very little difference in frequency privileges between the Advanced Class and Amateur Extra Class operator licenses and that the Advanced and Amateur Extra operator license classes should be streamlined by grandfathering the Advanced Class operator license."

"Given our decision to reduce the telegraphy examination requirement to the minimum requirement that meets the *Radio Regulations*, we believe that the three-class operator license structure is preferable because this structure has substantial support within the amateur service community and satisfies our goal of streamlining and simplifying the amateur service licensing system to the greatest extent possible.

Telegraphy examinations in the Amateur Service

"Today, as opposed to the early days of radio, radiotelegraphy is just one of numerous diverse modes of radiocommunication." The FCC had asked in the NPRM whether, in view of the technologies that amateur radio operators use to communicate today, that three telegraphy proficiency levels remain relevant to contemporary communications practices.

The Commission also wanted input on whether the VECs should be authorized to request additional medical information from the certifying physician when an examinee had a high speed code waiver as requested by the ARRL. Citing privacy concerns, the FCC had already tentatively concluded that this was not an appropriate way to address potential abuses of the physician's certification.

Furthermore, the FCC noted that this issue might well be a moot point because if the higher speed code requirements were eliminated, there would no longer be a need for code exam credit based on an applicant's disability.

The FCC decided that the best way to handle code waivers – some of which admittedly may be questionable – would be to reduce the telegraphy examination requirement for everyone to the slowest speed that still meets

the requirement in the international *Radio Regulations*. To achieve that result, the Part 97 Rules were changed to eliminate higher 13 and 20 wpm code exam speeds.

The FCC added "...one of the fundamental purposes underlying our Part 97 rules is to accommodate the amateur radio operator's proven ability to contribute to the advancement of the radio art. We believe that an individual's ability to demonstrate increased Morse code proficiency is not necessarily indicative of that individual's ability to contribute to the advancement of the radio art. As a result, we find that such a license qualification rule is not in furtherance of the purpose of the amateur service and we do not believe that it continues to serve a regulatory purpose."

Effective April 15, 2000 the number of telegraphy examination elements are being reduced from three to one – the slow 5 wpm telegraphy examination. The FCC also said that they could not grant the ARRL's request to allow Technician Class licensees to use CW below 30 MHz without first having proved Morse proficiency because the international *Radio Regulations* "...provide that the telegraphy requirement may be waived only for an operator of a station transmitting exclusively on frequencies above 30 MHz."

"The other principles that we consider relevant to examination requirements are that those requirements pertain to the privileges the operator license authorizes and that they constitute the minimum requirements necessary to demonstrate that the control operator of a station can ensure the proper operation of that station."

"Many of the comments we have received, ...support reducing the emphasis on telegraphy proficiency as a license qualification requirement. Other comments contend that any significant reduction of telegraphy examination requirements will be detrimental to the amateur service while providing no long term benefits."

The FCC added that some people believe that "...a reservoir of operators proficient at the higher Morse code speeds is a public interest benefit and should be encouraged through our Rules."

Emphasis on manual telegraphy proficiency

The FCC also asked in the NPRM whether three telegraphy proficiency levels remain applicable to today's communications practices and if they reduced the Morse speed requirement whether additional exam material should be added to ensure a working knowledge of the newer digital technologies

The Commission found that many amateurs believe that the current licensing structure overemphasizes the importance of manual telegraphy. "NCVEC and others agree with our assessment that the role of Morse code is decreasing in modern communications. Kenwood [Communications Corp.] states that licensing of persons be-

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cause they are proficient in Morse code is inconsistent with encouraging those interested in modern telecommunications to join the ranks of amateurs and become skilled in the technical sciences."

Another common view is that "...potential recruits to the Amateur Radio Service consider the telegraphy requirement archaic and quickly lose interest in becoming amateur radio operators." And several believe that "...Morse code proficiency is not relevant to modern communications practices and technologies." There is also a widespread belief that "...the Morse code requirement exists only as a roadblock to prevent current and possible amateur operators from obtaining worldwide frequency privileges or [exists] to control access to the HF amateur radio bands."

"On the other hand," FCC noted "several commenters equate passing a telegraphy examination to the type of on-the-air operator a licensee will be..." and that CW proficiency was needed for emergency communications.

The Courage HANDI-HAM System, a group dedicated to assisting radioamateurs with disabilities agrees that "...while Morse code is fun to use and retains a following in the amateur community, it is no longer essential to HF communications."

The FCC said it was "...not persuaded by the arguments of those opposing reduction or elimination of the emphasis on telegraphy proficiency as a license requirement in the amateur service."

It said it had already decided some ten years ago in the *Codeless Technician Decision* that it did "...not concur with the comments alleging that the passing of a telegraphy examination is an indication of the examinee's good character, high intelligence, cooperative demeanor, or willingness to comply with our rules. These traits are also found in individuals who have not passed a telegraphy examination rather than being exclusive to those who have passed such a test."

Morse code and advancing the radio art

Some amateurs maintained radiotelegraphy was superior to other types of communications. The FCC said these arguments "were not pertinent" since the Commission "...did not propose to discontinue the authorization of telegraphy CW emission types on any amateur service frequency. The amateur service in the future, as it has in the past, can provide to those who personally desire to do so the opportunity to communicate by telegraphy."

Because the amateur service is fundamentally a technical service, the Commission believes that emphasis on Morse code proficiency as a licensing requirement is at odds with the basis and purpose of the service.

"...modern communications systems ...are based on digital communication technologies," FCC said. "...no communication system has been designed in many years

that depends on hand-keyed telegraphy or the ability to receive messages in Morse code by ear. In contrast, modern communication systems are designed to be automated systems."

Morse code use in emergencies

"... most emergency communication today is performed using either voice, data, or video modes," FCC said. "We also note that most amateur radio operators who choose to provide emergency communication do so, according to the amateur radio press, using voice or digital modes of communication, in part, because information can be exchanged much faster using these other modes of communication."

"Further, we note that in traditional emergency services, such as police, fire, and rescue, there is no requirement that emergency service personnel hold amateur radio licenses or any other license that requires telegraphy proficiency."

"Kenwood states that Morse code telecommunications is not a skill used often in emergency communications or disaster relief any longer."

Many of the comments expressed a personal preference for exchanging messages with other amateur radio stations using radiotelegraphy. "While Kenwood agrees with these observations, it states, however, they are not a sufficient justification for keeping Morse code proficiency as a licensing requirement."

"We conclude, therefore, that telegraphy proficiency is not a significant factor in determining an individual's ability to provide – or be prepared to provide – emergency communications."

Number of code examination speeds

Although some disagree on the speed, many amateurs supported a reduction in the number of telegraphy elements from three to one. The American Radio Relay League, however, wanted to substitute a 12 wpm code exam for both the 13 and 20 wpm speeds and reduce the General Class operator license to a 5 wpm requirement. The League also wanted the FCC to authorize CW privileges below 30 MHz to Technician Class licensees who have not passed a Morse code exam since Morse proficiency is "...self proving."

The FCC said that after considering the public input on this issue, it "...concludes that the required speed for the telegraphy examination element should be 5 wpm. ...we note that this is the minimum telegraphy speed that has been required for the Novice Class operator license since 1951, and is the minimum telegraphy proficiency that must be demonstrated by a Technician Class licensee to be authorized HF privileges. Because both of these classes of operator licenses authorizes HF privileges, 5 wpm is a speed that the Commission has found

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sufficient to meet the requirement of the [international] *Radio Regulations*, and the slowest telegraphy speed in the amateur service examination system. We believe that, consistent with our decision to reduce the number of telegraphy elements from three to one, we also should use the least burdensome requirement, the 5 wpm requirement, as the standard for that element."

"Sunsetting" manual Morse proficiency

The FCC declined to automatically abolish all CW exam speeds when – and if – the ITU eliminates a mandatory telegraphy proficiency requirement for the Amateur Service. "...we do not believe that it would be prudent, at this time, to premise the resolution of this issue on decisions to be made at the next World Radio Conference (WRC), particularly given that it is uncertain whether the WRC will actually address this issue."

"We also note that the International Amateur Radio Union [IARU] Administrative Council has stated that it opposes changing the [international] *Radio Regulations* to reduce the minimum international qualifications for an amateur radio license, making the potential changes to this *Radio Regulation* even more uncertain."

Specifying the Morse exam method

"Currently, VEs have the option of determining the most appropriate method, including changing the method on a case-by-case basis, to allow an applicant to demonstrate his or her telegraphy skills. Some commenters express the view that we should limit the methods available to VEs for examining for Morse code proficiency to either one minute of solid copy or a fill-in-the-blank examination, and that these methods are adequate. Other commenters suggest that the VEs should be limited to three methods: one minute of solid copy, a ten-question written examination of either multiple-choice or fill-in-the-blank."

"The NCVEC states that the current arrangement for the preparation and administration for Morse code examinations as provided for in the Commission's rules is adequate and there is no need to change or add to them."

"The ARRL, however, suggests that the method VEs must use to determine whether an applicant passes a telegraphy examination should be specified in the Rules to ensure examination uniformity and fairness to all examination candidates."

"We have considered the comments on this issue and have decided not to adopt rule amendments that inadvertently could limit VEs' flexibility in administering telegraphy examinations. In this regard, we note that rule changes that specify the method VEs must use to administer telegraphy examinations would serve to limit the flexibility VEs currently have. We are persuaded by the NCVECs that the current rules applicable to the preparation and administration for Morse code examinations are

adequate and there is no need to change or add to these rules. We are not persuaded that rigid examination uniformity results in fairness to all examination candidates, and we note that, even if we were to adopt the changes requested by the ARRL and others, the uniformity they seek would not necessarily result because VEs are required to modify examination procedures to accommodate individuals with disabilities."

Tightening up Morse code waivers

The ARRL had earlier petitioned the FCC to change telegraphy examination procedures by imposing additional requirements on "handicapped" applicants before examination credit is conferred by a *Physician's Certification of Disability*.

The FCC responded by saying "In that we have decided not to retain the higher telegraphy speeds requirements, no person now will be required by our Rules to demonstrate telegraphy proficiency at higher telegraphy speeds. In this regard, we agree that by reducing the telegraphy requirement to a single 5 wpm telegraphy examination, the need to grant credit based on a *Physician's Certification of Disability* would be eliminated."

"We also agree with Courage Handi-Ham System that reducing the emphasis on telegraphy proficiency may encourage some individuals with disabilities to participate in the amateur service and that provisions must remain in place for accommodating individuals with severe disabilities."

Written Examination content

A written examination is prepared and administered to each applicant for each class of amateur radio operator license. This allows the applicant to show that he or she possesses the operational and technical qualifications required to be an amateur service licensee. The written examination questions are drawn from a database of multiple-choice questions and answers approved by the NCVEC using a table of topics that is specified in the Rules. This database is periodically updated to provide access to current examination questions.

The database is arranged into five examination elements, each of which contains questions applicable to the privileges of one of the six classes of amateur radio operator licenses. To qualify for an amateur radio operator license, an applicant must pass or receive credit for one or more written examination elements and, if required, a telegraphy examination element.

The ten topics in the written examinations were carried over into the VE system from the examination used previously when the Commission prepared and administered amateur radio operator examinations. The FCC asked in the NPRM if the mandated topics still adequately cover the significant categories of information relevant to

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determining whether an applicant has the qualifications to become an amateur service licensee. The Commission specifically wanted to know if it should add elements to the written examination elements to ensure a working knowledge of the newer digital technologies which, in part, are replacing the Morse code.

In addition, the FCC asked if required number of questions from each general topic should continue to be established by rule, noting that the written examinations have been prepared and administered under the VE system for over a decade

Exam content management turned over to VECs

The FCC said that the comments they received convinced them that the current written examination elements are not adequately demonstrating whether an individual is qualified to be an amateur service licensee. "...almost all of the comments suggest that some type of change to the current system is needed," the Commission said.

In their comments, the NCVEC pointed out that Technician Class examinees are administered questions on electronic circuits even though all transceivers are purchased in the commercial marketplace.

"In this connection, NCVEC states that the topics currently specified in Section 97.503(c) fail to take into account changes in operating habits, technology, and transmitting equipment that have occurred over the past fifteen years, and that this rule section results in VEs administering examinations that contain questions on topics that are not appropriate to the class of license for which the examination is being administered. It is not necessary for licensees to understand electronics and other technical subjects in order to properly operate commercially manufactured equipment."

The FCC agreed that "...the rule specifying the written examination elements is in need of updating and should be streamlined to reduce the number of written examination elements."

"In response to our request for comments as to whether we should add elements to the written examination to ensure a working knowledge of the newer digital technologies which, in part, are replacing the Morse code, the commenters agree that such a change is desirable. Several commenters state that questions on new digital technologies should be added because these technologies will be used in the near future.

NCVEC said, however, that "...the number of required questions from each general topic need not continue to be established by rule. Rather, it suggests that we eliminate Section 97.503(c) of our Rules and that the VEC's Question Pool Committee should determine the topics and questions that are appropriate as part of the process of reviewing and revising the various question pools."

"ARRL, on the other hand, states that the topics specified in Section 97.503 of our Rules provide the only element of standardization in the examination process and believes that some version of the syllabus must remain in our Rules. ARRL agrees, however, that the number of questions per topic on an examination element needs to be changed to emphasize different topics for different classes of licenses."

The Quarter Century Wireless Association, NCVEC, and [ham educator] Gordon West WB6NOA suggested that the Commission combine the present written examination Elements 4A and 4B to create the new written examination Element 4 for the Amateur Extra Class license.

FCC said that "...appears to be a simple and straightforward method the Question Pool Committee should consider for creating this new element." West also suggested that the present written examination Elements 2 and 3A be combined to create a new written examination Element 2 for the Technician Class license.

The FCC agreed "...these suggestions appear to satisfy publishers' concerns that we make changes to the written examination elements in such a way that we not make obsolete study guides that have been published but not sold. In this regard, we note that the Question Pool Committee revises examination question pools on a scheduled basis and that it has stated that the transition to a new written examination element can be completed within the present schedule. We also will redesignate the written examination elements as written examination Elements 2, 3, and 4."

The FCC said that it believed the changes suggested by the NCVEC and others "...will result in an examination system that is more relevant, that is simpler for examinees and licensees to understand, and that takes advantage of the ability that the VECs consistently have shown since 1986 to maintain the question pools."

"Accordingly, we are revising Section 97.503(b) of our Rules to reduce the number of written examination elements from five to three and aligning these elements so that they correspond to the remaining [Technician, General and Extra] classes of amateur radio operator licenses."

"ARRL suggests thirty five questions for both the Technician and General Class operator license written examinations, and forty and fifty questions for the Advanced and Amateur Extra Class operator license written examinations, respectively."

The FCC amended its Rules to require that the Technician Class and General Class written examination elements consist of thirty five questions each, and that the Amateur Extra Class written examination element consist of fifty technically-oriented questions, including questions about administering amateur radio operator license examinations.

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"...we believe that these changes will eliminate rules that are unnecessary and will provide VEs and VECs additional flexibility as the majority of commenters have requested. Moreover, these changes will streamline further our administration of the amateur service."

The FCC believes that "...the Question Pool Committee of the NCVECs has a better ability to insure that the question pools reflect current technology than we do by specifying general topics in our Rules."

"...the Question Pool Committee of the NCVECs is capable of both specifying topics and organizing questions by topic, if this function is necessary, as part of its maintenance of the question pools for amateur radio operator examinations. We note that allowing the Question Pool Committee of the NCVECs this flexibility will allow material included on amateur radio operator examinations to reflect technological advances in a much more timely fashion than can be accomplished by the rulemaking process."

The Commission said "In the event that individual incidents of abuse of this flexibility are brought to our attention, we note that Section 97.519(d) of our Rules provides a mechanism whereby we can address such abuses."

Several commenters pointed out, however, that revisions to the written examination elements might have a significant impact on publishers of amateur radio study guides. They requested that any changes to existing written examination elements be made in such a way that do not make obsolete study guides that have been published but not sold.

Toward that end, the FCC is allowing amateurs to take the current written exam elements and then use the CSCE (*Certificate of Successful Completion*) as exam credit toward the new license classes which take effect after April 15th. Here is what they said in the R&O.

"Additionally, licensees who have passed all the written examination element components of a revised written examination element(s) will continue to receive credit for the revised element(s)."

"However, licensees who, in the past, passed a written examination element that no longer exists or has been subsumed in a more comprehensive examination element, will have to pass the new element," FCC said.

Disposition of the Designated Novice Band

When the Novice Class operator license was established in 1951, limited frequency segments in the HF portion of the radio spectrum were established for Novice Class operators so that they could improve their telegraphy skills by practicing telegraphy on-the-air. This on-the-air use of telegraphy was necessary, in part, because the Novice Class operator license was a one-year, once-in-a-lifetime, non-renewable license.

At the end of the year, the licensee was required either to upgrade his or her license or discontinue operations. Specific frequency segments for Novice Class operators have been a part of the amateur service license structure since 1951. These frequency segments are available to other class licensees but, with the exception of the 10-meter frequency segment, only at reduced power.

The FCC asked in the NPRM "...whether it would be appropriate to delete the frequency limitations on Novice Class operators and the power limitations on other classes of operators using the Novice frequencies if we were to discontinue licensing new Novice Class operators."

The Commission said it had "...considered the comments on this issue and have decided that because we are grandfathering Novice Class operator licenses, rather than automatically upgrading them to General Class operator license as requested by the ARRL, we will not adopt any rule changes at this time that would change operating privileges for any licensee within the frequency segments currently authorized Novice Class operators."

Greater Volunteer Examiner Opportunities

The basis for the Volunteer Examiner program is set forth in *Section 4* of the *Communications Act*. Under this Section, any individual who holds an amateur station operator license of a higher class is permitted to prepare or administer any examination for an amateur station operator license of a lower class, provided the examiner is accredited by the VEC coordinating the examination session and meets other requirements.

Currently, only an Amateur Extra Class licensee can administer an examination for a General Class operator license. The FCC proposed in the NPRM "...to authorize Advanced Class licensees to prepare and administer examinations for the General Class operator license, as requested by the ARRL." The FCC said "...that this proposal would benefit potential amateur service licensees by having additional volunteer examiners available for the examinations."

The FCC has concluded that "...the public interest will best be served by allowing Advanced Class licensees who are certified VEs to prepare and administer examinations for the General Class operator license. In this connection, we note that in all cases, Advanced Class VEs would be preparing and administering elements for which they themselves have received credit and, therefore, allowing Advanced Class VEs to prepare and administer General Class operator license examinations is consistent with the Communications Act."

"The comments we received generally supported our proposal. For example, NCVEC and ARRL agree that Advanced Class licensees who are VEs should be permitted to prepare and administer examinations for a General Class operator license and that allowing these

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VEs to perform these functions would help in areas where VEs are needed but are in short supply. ...Thus, we adopt the proposal as set forth in the *Notice*."

RACES Station Licenses eliminated

The *Radio Amateur Civil Emergency Service* (RACES), as it was envisioned when it was authorized in 1952, was to be a temporary service designed to afford radio communication for civil defense purposes. The FCC permits two types of stations to operate as part of the RACES:

- (a.) a licensed RACES station, and
- (b) any amateur station that has been properly registered with a civil defense organization.

Thus, to engage in RACES communications, it is not necessary to have a RACES station license with a separate and distinct call sign. For that reason, the FCC proposed to amend the Part 97 Rules to phase out RACES station licenses by not renewing them.

The FCC said that "...by eliminating the RACES station licenses, we would be taking steps which:

- (a) would eliminate licensing duplication because emergency communications that are now transmitted by RACES stations also may be transmitted by primary, club, or military recreation stations, and
- (b) would conserve our financial resources."

The Commission observed that "...no new RACES station licenses have been granted since July 14, 1980. In addition, we proposed to continue the *status quo* by not issuing any new RACES station licenses."

The FCC stated that "Most of the comments specifically addressing this issue support our proposal to phase out RACES station licenses. ... After review of the record, we conclude that we should eliminate RACES station licenses because RACES station licenses are unnecessary for amateur stations and amateur service licenses to provide emergency communications."

"Additionally, these licenses duplicate the communications that we have authorized primary, club, or military recreation stations to transmit, and not issuing RACES station licenses would conserve our financial resources because, currently, such issuance is not an automated process."

Privatization of Amateur Enforcement

The *Communications Act* authorizes the Commission, for purposes of monitoring violations of any provision of the Communications Act, to accept and employ the voluntary and uncompensated services of any individual licensed by the Commission to operate an amateur station.

The functions of individuals who provide such uncompensated services, commonly called the Amateur

Auxiliary, are limited to the detection of improper amateur radio transmissions, the conveyance to Commission personnel of information which is essential to the enforcement of the Communications Act relating to the amateur radio services, and other functions.

The FCC asked in the NPRM for comment "...on other ideas for improving our enforcement processes as they relate to amateur radio. We suggested, for example, that one possibility might be to encourage or require persons bringing complaints of interference to the Commission to include a draft order to show cause to initiate a revocation or cease and desist hearing proceeding. We also requested additional comments and suggestions on how we could better utilize the services of the Amateur Auxiliary, consistent with its statutory basis."

"After review of the record, we conclude that we will adopt the suggestion of the ARRL to withhold any additional action on amateur radio service enforcement based on the increased amateur radio service compliance efforts recently undertaken by the Commission," FCC said.

"We note that the commenters are divided over the need and our ability to improve our enforcement processes as they relate to amateur radio. The ARRL states that in a 1998 survey it commissioned, it found the most important issue for both ARRL members and non-members was strict enforcement of FCC rules governing on-the-air conduct."

"It requests, however, that we withhold any further action on amateur radio service enforcement based on the increased amateur radio service compliance efforts recently undertaken by the Commission. The ARRL states that it is satisfied with the current policies of the Commission and the encouraging attitude of our Compliance and Information Bureau. Other commenters believe that official observers should be given authority to warn in the name of the FCC."

"We conclude that our decision is reasonable in as much as the amateur service community itself has responded very favorably to our increased compliance efforts directed to on-the-air conduct and compliance with our rules applicable to administering operator license examinations.

Out-of-Scope Proposals and Comments

The FCC mentions that some commenters suggested substantive changes to the amateur service rules in addition to those proposed in the NPRM. . For example, *Northern California Packet Association* requests that we revise Section 97.303(e) of our Rules to delete the requirement that amateur stations receive permission from an AMTS station to operate in the 219-220 MHz segment if the amateur station is within 80 kilometers of an AMTS coast station."

"Likewise, *Southern California Remote Repeater*

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and Remote Base Association requests that we require mandatory coordination of repeater stations operating in the VHF and UHF amateur service bands, a request others oppose. Other comments suggest that we mandate retesting of licensees as a condition of renewal of an amateur service license, that we amend Section 97.305 of our Rules to revise the authorized emission types in many medium frequency, high frequency, and VHF amateur service bands, or that the control operator privileges be amended when the station transmitting is a club station."

The Commission said that these requests "...are beyond the scope of this proceeding because either they are the subject of another rulemaking proceeding or they involve rule sections which we did not propose to amend and are not a logical outgrowth of the rules originally proposed to be amended. Other requests, such as instituting license fees to pay for the workload and enforcement actions that the Commission has to support, would require statutory changes to the Communications Act and are solely within the province of Congress. Therefore, we neither intend, nor are we able to address these out-of-scope issues in this *Report and Order*."

Additional editorial matters

The FCC also made minor amendments to various rule sections to eliminate duplicative language and conform them with this or other Commission decisions.

"We are revising Section 97.13(c) of our Rules to correct the name of OET Bulletin Number 65. We also are revising Sections 97.307(f)(10) and 97.313(c)(2) of our Rules to clarify that only Technician Class control operators who have satisfied the [international] *Radio Regulations* telegraphy requirement are authorized to transmit a phone emission below 30 MHz. We consider these revisions to be non-substantive in nature."

The Federal Communications Commission released the following Public Notice on January 3, 2000

FCC BEGINS ACCEPTING APPLICATIONS FOR AMATEUR SERVICE CLUB AND MILITARY RECREATION STATION CALL SIGN ADMINISTRATORS

On October 21, 1998, the Federal Communications Commission (FCC) adopted a *Report and Order* reinstating the use of volunteer organizations for the purpose of processing applications for amateur service club and military recreation station call sign.

A club station license is an amateur service station license granted only to the trustee of an amateur service club, which must be composed of at least four persons and have a name, a document of organization, management, and a primary purpose devoted to amateur service activities consistent with Part 97 of the FCC's Rules.

A military recreation station license is an amateur service station license granted only to the person who is

the license custodian designated by the official in charge of the United States military recreational premises where the station is situated.

The purpose of this *Public Notice* is to announce that beginning March 1, 2000, the FCC will accept requests from organizations interested in processing applications for amateur service club and military recreation station call signs. Requests received before this date will not be considered.

We will accept the services of any organization meeting the requirements of Section 4(g)(3)(B) of the *Communications Act*. Organizations interested in processing applications for amateur service club and military recreation station call signs should familiarize themselves with the *Report and Order* and the requirements of the statute.

An organization requesting designation as a "Club Station Call Sign Administrator" so that it can process applications for amateur service club and military recreation station call signs must provide information showing:

- 1) that it is an amateur radio organization;
- 2) that it has tax-exempt status under Section 501(c)(3) of the *Internal Revenue Code of 1986*;
- 3) that it will provide voluntary, uncompensated and unreimbursed services for processing applications for club and military recreation station call signs;
- 4) that it will submit the information to the FCC in an electronic batch file; and
- 5) that it will retain the application information for at least 15 months and make it available to the FCC upon request.

The Club Station Call Sign Administrator may collect all necessary information in any manner of its choosing, including creating its own forms.

All requests must be signed by a responsible official of the organization and include the telephone number of a person familiar with the request. Interested organizations must file their request with the:

**Federal Communications Commission
Wireless Telecommunications Bureau
Public Safety and Private Wireless Division
445 Twelfth Street, S.W., Room 4-C330
Washington, D.C. 20554**

Attention: Club Station Call Sign Administrator

Failure to follow these filing procedures will result in the request being returned without consideration.

Qualified organizations that successfully complete a pilot autogrant batch filing project will be authorized as Club Station Call Sign Administrators to process applications for amateur service club and military recreation station call signs and submit the information to the FCC in an electronic batch file.

The FCC will announce by public notice the names and addresses of Club Station Call Sign Administrators.